

# Hazardous Waste Connection

*Compliance Information for Generators in Kansas*

Fall 1998

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### *Hazardous Waste Connection*



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Environment*

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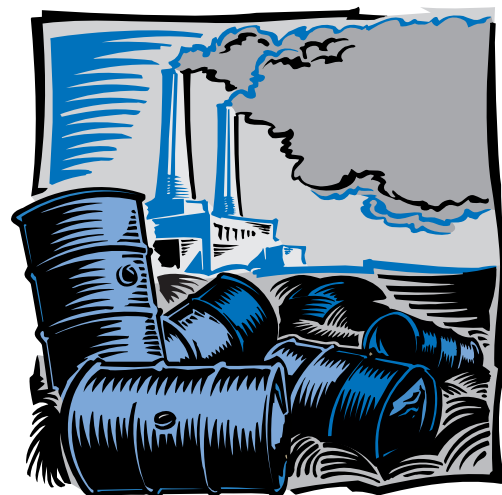
*KDHE Web Page address  
www.state.ks.us/public/kdhe*

## *Complaints or Compliments?*

### *Which Does Your Business's Appearance Reflect?*

*By Ron Smith*

Each year, KDHE receives over 150 complaints regarding observed or suspected improper hazardous waste management by businesses across the state of Kansas. Many of those complaints are generated because of the outward appearance of the building or surrounding area. Stacks of rusted or dented drums along a fence or the side of a building, liquids dripping from trash containers, or employees in the rear of a facility dumping something on the ground have generated numerous telephone calls to KDHE by concerned citizens.



Some of the time, the complaints received by KDHE are not valid. However, it is our policy to investigate all complaints and to conduct the investigation as soon as possible after receiving the complaint. Typically, it takes between 6 to 10 hours to investigate a complaint and complete the necessary paperwork. Invalid complaints not only waste the time of our inspectors, they also waste the time of the affected business owner or employees. Although we try to conduct each investigation in such a manner to minimize the interruption to the business, the owner or facility manager must usually spend some time to help us complete our inquiries.

Take a fresh look around your facility. What do you see? Is your housekeeping getting a little sloppy? Does your business look like an appealing place to work?

*(Continued on Page 3)*

### *Helpful Tips for Reporting Complaints*

- ✍ Note when you first noticed the problem, include the time, date and location.
- ✍ If you are familiar with the area, indicate what might be causing the problem.
- ✍ To prevent duplication of effort from several agencies, tell who else you reported the problem to and what was the response.
- ✍ Reporting to the local environmental department or county attorney's office may result in a quicker response.



By Bill Bider

Our feature article this issue involves complaints and compliments. We are truly a society that likes to complain. Most often we complain about personal matters such as the weather, the appearance of a neighbor's property, how busy we are, or our spouse's snoring. The bottom line is we are quick to complain as evidenced by the large number of complaints received by the Department of Health and Environment. Even though we like to complain, we don't like being the one complained about. Reactions to being complained about range from being emotionally hurt to becoming defensive, argumentative, and even angry. Hardly anyone responds by saying, "Thanks for pointing out my deficiencies. I will try to do better in the future."

When our inspectors show up at a business to investigate a complaint, they are usually treated with respect but not as a welcomed visitor. There are uncertainties in everyone's mind as to what has happened and whether state enforcement action will be needed. It is clearly a stressful time until these issues have been resolved. Please understand that we would rather not have to perform complaint investigations, but we are obligated to determine whether the complainant has correctly identified an environmental problem. Also, please remember that the investigation was triggered by a third party who is not present and it is up to you, the effected business, and our inspectors to work out the facts. By fully cooperating, impacts to your business operation will be minimized, communications will be professional and objective, and we will get out of your hair as quickly as possible.

## Can My Used Oil be Burned in My Neighbor's Space Heater

By Mary Bitney

"Can I send my used oil to the guy down the street who has a space heater?" This question is frequently asked by facilities looking for disposal options other than paying a collector to pick it up. This article discusses steps facilities need to take to dispose of their used oil and remain in compliance with the used oil regulations.

You can send your used oil to another business to burn in their space heater only **after** you have made the determination that the used oil is "on-spec". To be considered "on-spec", the used oil must meet the levels listed in Table 1. (See the article on [Oil Fired Space Heaters](#) in the Spring 1998 newsletter.)

To comply with the fewest regulations, the testing should be done by the used oil generator. Copies of the analysis should be kept by both the used oil generator and the owner of the used oil space heater. We recommend that the used oil be tested at least annually. The used oil generator must also keep records of all the "on-spec" used oil shipped off-site, including where the oil was sent, the quantity delivered, the date of each shipment, and a cross-reference to the laboratory analysis.

It is also a good idea if used oil generators write out the procedures for employees to follow to collect the used oil

generated at the business and keep records showing the employees have been trained on proper collection methods.

Although these actions are not required, by providing this information to an inspector, you will minimize the concerns that may arise regarding used oil collection at your facility.

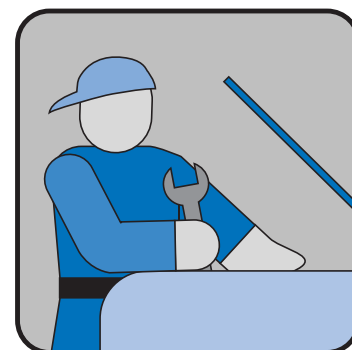
Used oil burners that are receiving "on-spec" used oil from other generators should keep records of used oil shipments they have accepted along with the copies of the laboratory analysis. These

records should be kept for a minimum of three years.

In Kansas, slightly over one-half of the businesses generating hazardous waste and/or used oil are located in the rural areas. KDHE recognizes that many of them have limited disposal options and may face higher disposal costs because of the additional transportation costs. Therefore, we will be flexible in implementing these federal regulations. If you have questions, please call (785) 296-1603 or e-mail to [mbitney@kdhe.state.ks.us](mailto:mbitney@kdhe.state.ks.us).

**TABLE 1**

<b>Arsenic</b>	<b>5 ppm max.</b>
<b>Cadmium</b>	<b>2 ppm max.</b>
<b>Chromium</b>	<b>10 ppm max.</b>
<b>Lead</b>	<b>100 ppm max.</b>
<b>Flash point</b>	<b>100°F min.</b>
<b>Total halogens</b>	<b>1,000 ppm max.</b>





By Mary Bitney

Is your facility an EPA Generator? (Does your facility generate over 2,200 pounds of hazardous waste in a month?) Does it generate volatile organic waste streams? If so, your facility may be subject to the new Subpart CC requirements. In December 1997, new federal rules requiring air emission controls for tanks and containers used for hazardous waste management went into effect for certain EPA generators. The requirements apply to the management of hazardous wastes containing an average organic concentration greater than or equal to 500 parts per million by weight (ppmw).

If you are an EPA Generator, this new federal rule required you to have taken steps to ensure compliance at the time the rule became effective (December 8, 1997).

So how do you know if these new regulations apply to your facility?

First, you need to determine if your waste streams are exempt from these new rules. If your waste streams include compounds such as benzene, toluene, acetone, xylene, styrene and trichloroethylene, you probably are subject to Subpart CC requirements. These chemicals are commonly identified by the F001 to F005 waste codes. You need to check the material safety data sheets (MSDS) to determine what volatile organic chemicals are present and their percentages. If you generate more than one waste stream containing volatile organic chemicals, each waste stream must be evaluated separately to determine if it is subject to Subpart CC regulations.

(Continued from Page 1)

Keep in mind that one major source of complaints are employees or ex-employees. Although many complaints appear to be generated by an ex-employee to get back at a business for alleged mistreatment, a number of them turn out to be true. In the past few years, at least six enforcement actions that started as complaint investigations have been taken against businesses.

Although there is no way to guarantee that no one

The determination for each waste stream can be made by either direct measurement or knowledge of the process. Both methods require thorough documentation. In addition, the procedures used to make the determinations are complex, requiring technical expertise and perhaps outside assistance. EPA Region 7 may be able to offer limited assistance; please call (913) 551-7631 or (913) 551-7020.

Next, if you do generate waste streams covered by the new rule, examine your storage methods. Volatile

organic wastes stored in containers smaller than 26.4 gallons are not subject to Subpart CC regulations. If you store wastes in 55-gallon drums, you meet the Subpart CC requirements as long as the drums use a closure device with the lid. In addition, the drums

must meet the Department of Transportation regulations for packaging hazardous materials for transportation.

If you store hazardous wastes in tanks, rigorous requirements apply. The controls necessary for storing hazardous waste in a tank depend upon certain factors including the maximum organic vapor pressure, storage temperature and treatment of the waste. The tank requirements are too complex to fully address in this article. If you do use tanks for storage, it would be advisable to seek professional assistance.

The State of Kansas has not yet adopted the Subpart CC requirements. However, the rule is self-implementing. This means the U.S. EPA can and will be inspecting selected facilities to determine compliance with this new rule.

**Subpart CC Applies to:**  
▶ **EPA Generators or TSD Facilities**  
▶ **Generators of Volatile Organic Waste Streams**  
▶ **Storage of Hazardous Wastes in Tanks or Containers Larger Than 26.4 Gallons**

will ever issue a complaint against your business, by keeping your building and grounds neat and clean you can minimize the occurrence.

Finally, we do want to be notified about legitimate concerns. If you do see a situation that appears to involve improper waste management, please report it promptly. A listing of telephone numbers is located on page four.

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**ADDRESS CORRECTION REQUESTED**



## ***Upcoming Events***

### ***Household Hazardous Waste Conference, February 9 - 11, 1999***

The 1999 Household Hazardous Waste (HHW) Conference will be held at the Holidome in Manhattan, Kansas, February 9 through 11, 1999. This year's conference will include a roundtable discussion of the main HHW issues affecting Kansas, Missouri, Nebraska, and Iowa, the impact of the used oil regulations on HHW facilities, incorporating Small Quantity Generators into the HHW program and other HHW related topics. For more information, call Cathy Colglazier at (785) 291-3510 or fax request to (785) 296-8909.

## **☎ Important Hazardous Waste (HW) Program Phone Numbers**

### **Kansas Department of Health & Environment (KDHE)**

Gary R. Mitchell, Secretary ..... 785/296-0461

#### **KDHE - Division of Environment**

Ronald Hammerschmidt, PhD, Director ..... 785/296-1535

#### **KDHE - Bureau of Waste Management ..... 785/296-1600**

Bill Bider, Director ..... 785/296-1612

a. Mary Bitney, Technical Support Section Chief . 785/296-1603

b. John Mitchell, W. P. P. & O. Section Chief ..... 785/296-1608

c. Dennis Degner, PhD, Permitting Section Chief . 785/296-1601

Mostafa Kamal ..... 785/296-1609

Ron Smith ..... 785/296-1604

David Branscum ..... 785/296-6898

George McCaskill ..... 785/296-1606

Linda Prockish ..... 785/296-0005

Mark Duncan ..... 785/296-1614

Lynda Ramsey ..... 785/296-0681

#### **KDHE - District Office Inspectors/Engineers**

Northeast - Lawrence ..... 785/842-4600

Southeast - Chanute ..... 316/431-2390

North Central - Salina ..... 785/827-9639

South Central - Wichita ..... 316/337-6020

Northwest - Hays ..... 785/625-5663

Southwest - Dodge City ..... 316/225-0596

**EPA RCRA Hotline ..... (800) 424-9346**

KDHE Public Advocate ..... 785/296-0669  
toll free for long distance ..... (800) 357-6087

#### **Kansas State University (KSU)**

Pollution Prevention Institute/Small Business

Environmental Assistance Program (SBEAP) ..... 785/532-6501

SBEAP - Hot Line ..... (800) 578-8898

#### **University of Kansas (KU)**

SBEAP - Resource Library ..... 785/864-3968

BWM Fax ..... 785/296-8642  
email ..... shawks@kdhe.state.ks.us

### **HOW MAY WE DIRECT YOUR CALL....**

EPA ID numbers ..... David Branscum

Compliance Assistance Outreach Program ..... Mary Bitney

General HW Generator questions ..... Ron Smith

Groundwater Monitoring ..... Mark Duncan

HW Complaints ..... Lynda Ramsey or Ron Smith

HW Notification questions ..... David Branscum

HW Permits ..... Mostafa Kamal

HW Regulation information .. John Mitchell or George McCaskill

HW Transporter Registration information ..... Linda Prockish

PCB, TSCA and/or CERCLA ..... George McCaskill

Newsletter Contact ..... Mary Bitney